

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: September 1, 2015

SUBJECT: ZC Case No. 05-28N - Report for Minor Modification to Approved PUD – Parkside, Block C

APPLICATION

K. Hovnanian Parkside Holdings LLC, the applicant, requests Zoning Commission approval for a minor modification to Condition No. 11 of ZC Order 05-28A for Blocks C of the Parkside PUD. This request is a change to extend the time period in which building permits may be filed for Block C by six months.

No change to use or general building layout is requested.

RECOMMENDATION

The Office of Planning recommends that the Commission **approve** the modification as minor.

SITE DESCRIPTION

The area that is the subject of this application is located on the western side of the overall PUD site and consists of Block C. Block C is located on the northeast side of Foote Street and the southwest side of Roosevelt Place, between Parkside Place and Barnes Street, N.E. To the east of the subject block are row houses constructed in the 1990s that are not a part of the PUD. To the northeast, across Barnes Street, is Block B. Construction has begun on this block of 39 townhouses, proposed to be substantially completed by the end of 2015.

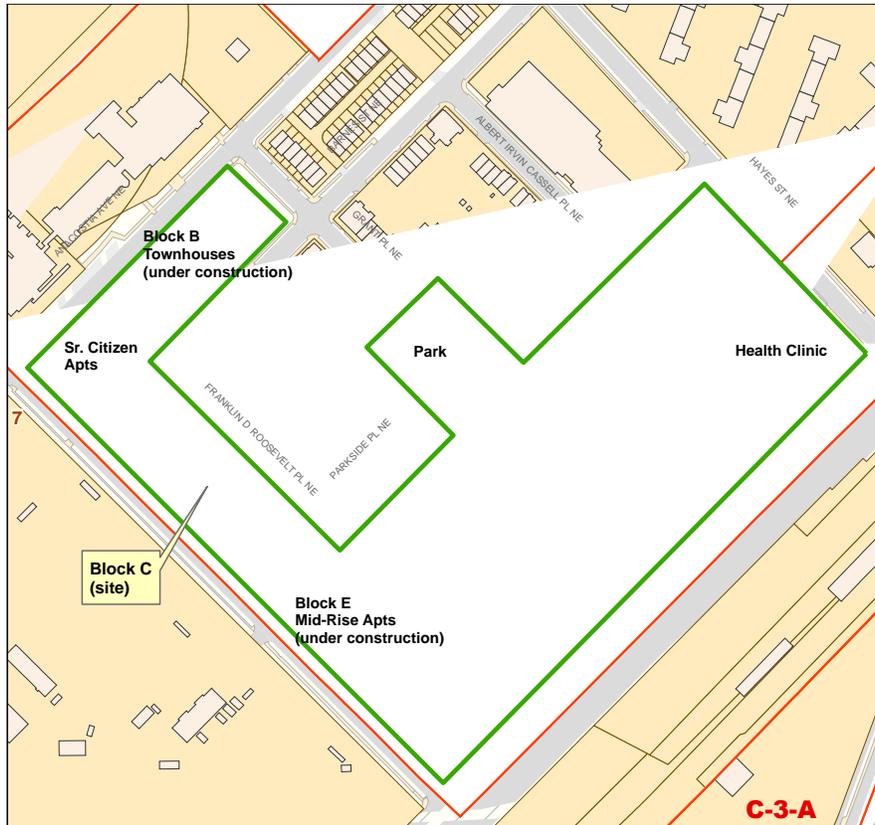
Blocks C is currently vacant.

PROPOSED MODIFICATION

A second-stage PUD for blocks B and C was approved by Zoning Commission Order No. 05-28A in 2008 for the development of 112 row houses. That approval was modified by the Commission in 2011 under Order No. 05-28G, reducing the number of units to one hundred. The applicant now proposes to revise the language contained in condition no. 11, as shown below. No change to the use is proposed, and the modification would have no affect gross floor area, lot occupancy or the site plan.

11. The PUD shall be valid until October 3, 2010, i.e. two years from the effective date of the order being corrected. Within such time, an application must be filed for a building permit for the construction of one of the buildings to be located on Blocks A, B, or C, and construction must start within three (3) years of the date of the effective date of this Order. The filing of the building permit application will vest this Order as to the building being constructed. An application for the final building permit completing the development of the PUD approved herein must be filed within three ~~(3) years~~ **forty-two (42) months** of the issuance of the final certificate of occupancy of the first building.





Zoning and Vicinity Map

ZONING

Section 3030 of the Zoning Regulations, Consent Calendar, states:

- 3030.1 *The purpose of this section is to create an expedited procedure to be known as the "Consent Calendar." The procedure shall allow the Commission, in the interest of efficiency, to make, without public hearing, minor modifications and technical corrections to previously approved final orders, rulemaking, or other actions of the Commission, including corrections of inadvertent mistakes.*
- 3030.2 *For purposes of this section, "minor modifications" shall mean modifications of little or no importance or consequence.*
- 3030.13 *All relief granted by the Commission under this section shall be consistent with the intent of the Commission in approving its original order, map, plan, rulemaking, or other action or relief proposed to be modified or corrected and shall not substantially impair the intent, purpose, or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map.*

The first building completed was the senior citizen apartment building, located on Block A, for which a certificate of occupancy was issued on July 12, 2012, vesting the order. Building permits for the townhouses on Block B were filed within three years of the completion of the senior citizen apartment building, but the permits for the townhouses on Block C were not. The extension of time by six months, or to January 12, 2016, is requested to allow the developer additional time to file for building permits so as to phase in the construction and development of the townhouses. A time extension of six months would have little or no consequence on the development of Block C.

The Office of Planning finds that the modification is consistent with the intent of the original approval and of no negative consequence.

COMPREHENSIVE PLAN

The requested modification would not be inconsistent with the Comprehensive Plan.

COMMUNITY COMMENTS

No community comments were received.

JS/sjm^{AICP}

Case Manager: Stephen J. Mordfin, AICP